

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 074-09 2201 STANWOOD DRIVE MODIFICATION SEPTEMBER 9, 2009

APPLICATION OF TONY XIQUES, AGENT FOR VALDOTAS AND JUDITH MILTNER VAITYS, 2201 STANWOOD DRIVE, APN 019-034-003, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 1 UNIT PER ACRE (MST2008-00413)

The 51,836 square foot project site has frontage on both Stanwood Drive and Orizaba Lane. Current development on site consists of a single family residence and detached accessory building. The proposed project involves a 238 square foot "as-built" porch enclosure to the residence and conversion of the 455 square foot "as-built" accessory building into a garage and workshop. The structure will be expanded by 39 square feet to meet the minimum required dimensions for a two-car garage. The discretionary application required for this project is a Modification to permit new floor area within the required 35' front setback off of Orizaba Lane (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 & 15305.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor or opposition of the application, and the following exhibits were presented for the record:

- 1. Staff Report with Attachments, September 2, 2009.
- 2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

I. Approved the subject application making the following findings and determinations:

The Modification is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The Modification to permit new floor area within the required front setback allows for minor expansion of the original floor plan which is not visible from the road and is located in the secondary front setback of a constrained lot, legalization of existing zoning and building violations on site, and allows for minor expansion to provide conforming parking for the property.

Staff Hearing Officer Resolution No. 074–09 2201 Stanwood Drive September 9, 2009 Page 2

II. Said approval is subject to the condition that 1) A Zoning Compliance Declaration be recorded against the property's title. 2) A building permit be obtained for the abatement of all outstanding violations within 30 days of this approval. 3) Vegetation along Orizaba Lane street frontage to be reduced to conform with SMBC §28.87.170 due to visibility and safety concerns existing at the driveway.

This motion was passed and adopted on the 9th day of September, 2009 by the Staff Hearing Officer of the city of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Gloria Shafer, Staff Hearing Officer Secretary

Date

Staff Hearing Officer Resolution No. 074–09 2201 Stanwood Drive September 9, 2009 Page 3

PLEASE BE ADVISED:

- 1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
- 2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
- 3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
- 4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Single Family Design Board (SFDB) approval and then a building permit.
- 5. PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit. The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
- 6. NOTICE OF APPROVAL TIME LIMITS: The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.